IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 18TH SEPTEMBER 2007 / 27TH BHADRA 1929

WP(C).No. 24919 of 2007(N)

PETITIONER:

MOHAMMED SHABEER AGED 40,
S/O.ABUBACKER, 227, TARISUPUTHEN VEEDU,
3,PARASUVAKKAL,
PARASSALA, THIRUVANANTHAPURAM.

BY ADV. SRI.R.T.PRADEEP

RESPONDENTS:
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1. THE DISTRICT COLLECTOR,
THIRUVANANTHAPURAM.

2. THE TAHASILDAR,
NEYYATTINKARA.

3. THE VILLAGE OFFICER,
PARASUVAKKAL.

4. THE SUPERINTENDENT OF POLICE,
THIRUVANANTHAPURAM RURAL.

5. THE AUTHORISED OFFICER,
BANK OF INDIA,
COIMBATORE ZONE,
324, OPPANNAKARA STREET,
COIMBATORE0641 001.

BY GOVERNMENT PLEADER SRI.I.V.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 18/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.
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W.P.(C) NO. 24919 OF 2007
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Dated this the 18th day of September, 2007

J U D G M E N T

Proceedings initiated under the Securitisation Act in respect of the property belonging to the petitioner, situated in Kerala is under challenge in this writ petition. Although by order dated 17/8/07, this court passed an order doubting the jurisdiction of this court to entertain the writ petition, the case was adjourned at the request of the counsel for the respondent Bank for taking instruction as to whether the Bank is agreeable for an agreed settlement of the matter.

2. Today, when the matter came up for orders, the learned standing counsel for the respondent Bank submits that if the petitioner is willing to pay Rs.2,00,000/- (Rupees Two lakhs) on or before 10/10/07 and the entire balance amount before 31/3/08, the Bank will refrain itself from proceeding further against the mortgaged property. This

suggestion of the counsel for the Bank has been accepted by the learned counsel for the petitioner.

3. This agreement between the parties is recorded. Needless to state that, in the event of failure to honour the terms of the aforesaid agreement, the Bank will be free to proceed against the mortgaged property.

Writ petition is disposed of as above.

ANTONY DOMINIC, JUDGE.

Rp